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**UNITED STATES DISTRICT COURT  
FOR DISTRICT OF UTAH**

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VALTRUS INNOVATIONS LIMITED

v.

MICRO FOCUS SOFTWARE, INC.

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VALTRUS INNOVATIONS  
LIMITED'S MOTION TO REOPEN  
CASE TO ENFORCE STIPULATED  
DISMISSAL

Civil. Action No. 2:23-mc-399-RJS

Judge Robert J. Shelby

Valtrus Innovations LLC (“Valtrus”) respectfully requests that the Court reopen this matter so that the Court may consider Valtrus’s concurrently filed Motion to Enforce the Joint Stipulation of Dismissal entered between Valtrus and Micro Focus Software Inc.’s (“Micro Focus”) on July 7, 2023. Dkt. 27. On July 10, 2023, the Court dismissed this case “without prejudice, pursuant to the terms of the Stipulation.” Dkt. 28. The Stipulation states that the Court “retains jurisdiction to enforce the terms of this stipulation.” Dkt. 27 ¶ 13.

As explained in the concurrently filed Motion to Enforce the Stipulation, Micro Focus has not complied with the terms of the Stipulation. The Court should therefore reopen this case so that Valtrus may have the opportunity to enforce its rights under that agreement.

Requiring Valtrus instead to open a new miscellaneous action would waste judicial resources and result in unnecessary delay. This Court is already familiar with this dispute. And when Valtrus filed the initial Motion to Compel, multiple judges had to review conflicts and then recuse themselves before the action was finally assigned to this Court. Furthermore, unnecessary delay would prejudice Valtrus given the expedited nature of the *inter partes* proceedings.

Dated: July 27, 2023.

/s/Michael D. Harbour

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